

Message Text

UNCLASSIFIED

PAGE 01 STATE 216646
ORIGIN L-03

INFO OCT-01 AF-10 IO-14 ISO-00 CPR-02 /030 R

DRAFTED BY L/UNA:DPSTEWART/ATP

APPROVED BY L/UNA:DPSTEWART

IO/UNP:LHAGE

USUN:LLICCARDI (SUBS)

L/T:LBAUMANN

L/M:IINGALLS

AF/E:LJANOWSKI

-----110405 251813Z /53

P R 251758Z AUG 78

FM SECSTATE WASHDC

TO AMEMBASSY NAIROBI PRIORITY

INFO USMISSION USUN NEW YORK

UNCLAS STATE 216646

E.O. 11652: N/A

TAGS: PDIP, KE

SUBJECT: DRIVERS LICENSE RECIPROCITY TREATY

REFS: (A) NAIROBI 8620; (B) USUN 2348; (C) NAIROBI 10999;
(D) NAIROBI 12453; (E) USUN CIRCULAR NOTE DATED MARCH 17,
1978

1. IN ACCORDANCE WITH ARTICLE 24 OF 1949 INTERNATIONAL
CONVENTION ON ROAD TRAFFIC (WHICH ENTERED INTO FORCE FOR
THE UNITED STATES IN 1952), NEW YORK STATE DIVISION OF
MOTOR VEHICLES RECOGNIZES ON RECIPROCAL BASIS THE VALIDITY
OF DRIVER LICENSES ISSUED BY OTHER PARTIES TO THE CONVEN-
TION. KENYA IS NOT RPT NOT PARTY TO THE CONVENTION.
ACCORDINGLY, THERE IS NO LEGAL BASIS FOR COMPELLING NEW
YORK (OR ANY OTHER STATE) TO WAIVE REQUIREMENT OF OBTAIN-
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 216646

ING LOCAL LICENSES.

2. USUN NOTE (REF E) MERELY REFLECTED CHANGE IN PROCEDURES
TO BE FOLLOWED BY UN MISSION PERSONNEL FOR APPLYING FOR
NEW YORK STATE LICENSES. IT DID NOT RPT NOT ALTER BASIS
FOR RECIPROCAL RECOGNITION OF LICENSES, WHICH AS REFTL
INDICATED HAS EXISTED FOR MANY YEARS, AND WAS IN NO WAY

INTENDED TO DISCRIMINATE AGAINST OFFICERS OR EMPLOYEES OF KENYAN MISSION TO THE UN. AS ATTACHMENT TO REF E INDICATES, RECIPROCITY IS CURRENTLY RECOGNIZED FOR LICENSES ISSUED BY SOME 120 OF THE ROUGHLY 150 STATES WITH UN MISSIONS.

3. WHERE RECIPROCITY GRANTED, NEW YORK RECOGNIZES LICENSE FOR DURATION OF ITS VALIDITY (EVEN THOUGH CONVENTION REQUIRES IT TO DO SO ONLY FOR ONE YEAR FROM DATE OF ENTRY INTO U.S.). IF APPLICATION IS MADE FOR NEW YORK LICENSE, NEW YORK WAIVES ONLY ROAD TEST, AND STILL REQUIRES APPLICANTS TO PASS EYE AND WRITTEN TESTS. SAME RULE APPLIES IN NEW YORK (AND MOST OTHER STATES OF THE UNION) TO U.S. CITIZENS WHO POSSESS VALID LICENSES ISSUED BY OTHER STATES (E.G. VIRGINIA). APPLICATION FEES ARE THE SAME WHETHER OR NOT ROAD TEST REQUIRED.

4. SUGGEST YOU INFORM GOK OF FOREGOING, AND INDICATE THAT KENYAN ACCESSION TO CONVENTION WOULD ELIMINATE PROBLEM AND PROVIDE BASIS FOR RECIPROCAL RECOGNITION. (IT IS UNCLEAR TO US WHY KENYA HAS NOT DONE SO.) SHORT OF THAT, DEPT AND USUN UNABLE TO ASSIST KENYAN MISSION PERSONNEL IN OBTAINING LICENSES REQUIRED BY LOCAL LAW. WE BELIEVE THAT NECESSARY TESTS AND FEES POSE MINIMAL INCONVENIENCE (AS HAS EVIDENTLY BEEN CASE IN PAST), AND TRUST KENYAN MISSION PERSONNEL WILL PERCEIVE REQUIREMENT IN CONTEXT OF THEIR OBLIGATION TO OBEY LOCAL LAWS AND REGULATION.
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 216646

5. FYI: DEPT UNDERSTANDS THAT PRIOR TO 1975 CHANGE IN THE LAW, NEW YORK GRANTED TEMPORARY 90-DAY RECOGNITION TO KENYAN LICENSES ON RECIPROCAL BASIS. SINCE CHANGE, NEW YORK GRANTS NO RECIPROCITY TO ANY STATE NOT PARTY TO INTERNATIONAL CONVENTION. DEPT HAS INQUIRED OF NYS DMV WHETHER ANY POSSIBILITY EXISTS UNDER THE LAW TO RESUME THAT PRACTICE; INITIAL UNOFFICIAL REACTION WAS NEGATIVE. WE WILL ADVISE YOU OF ANY FURTHER REPLY. END
FYI. CHRISTOPHER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, DRIVERS LICENSES
Control Number: n/a
Copy: SINGLE
Draft Date: 25 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE216646
Document Source: CORE
Document Unique ID: 00
Drafter: DPSTEWART/ATP
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780348-1139
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780822/aaaaasiv.tel
Line Count: 104
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: c44c755b-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 NAIROBI 8620, 78 USUN NEW YORK 2348, 78 NAIROBI 10999, 78 NAIROBI 12453, 17 USUN NEW YORK 17
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1617931
Secure: OPEN
Status: NATIVE
Subject: DRIVERS LICENSE RECIPROCITY TREATY
TAGS: PDIP, KE
To: NAIROBI
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/c44c755b-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014